

By: Public Works and Police
Introduced: December 12, 2011
Public Hearing: January 9, 2012
Adopted: January 9, 2012
Vote: Harris, Holler, Katkus, Menard and Woodruff in favor
Sullivan-Leonard absent

**CITY OF WASILLA
ORDINANCE SERIAL NO. 12-01**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 1.20.030.C, WITHIN DISPOSITION OF SCHEDULED OFFENCES – FINE SCHEDULE, TO SET THE FINE AMOUNT FOR A PUBLIC NUISANCE AT \$300; AND AMENDING WMC 8.12.050.B, WITHIN PUBLIC NUISANCE ABATEMENT, BY ADDING FURTHER CITATION.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of subsection. WMC 8.12.050.B, within Public nuisance abatement, is hereby amended to read as follows:

B. Upon determination that a public nuisance exists, the mayor or designee may issue an enforcement order in accordance with Section 1.20 and Sections 8.12.060 - 8.12.070 of this code to the owner of the property upon which the junk, trash, or litter is located, and to any owner's agents, occupants, tenants, operators, or any other person responsible for the junk and trash.

Section 3. Amendment of subsection. WMC 1.02.030.C, within Disposition of scheduled offenses – fine schedule, is hereby amended to read as follows:


C. The following violations of this code are amenable to disposition without court appearance upon payment of a fine in the amount listed below.

CODE SECTION	DESCRIPTION OF OFFENSE	FINE
WMC 8.12.060	<u>Nuisance Trash and Junk</u>	\$300 - \$500

Section 3. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on January 9, 2012.

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk


VERNE E. RUPRIGHT, Mayor

[SEAL]

Underline, added. ~~Strikethrough, deleted.~~



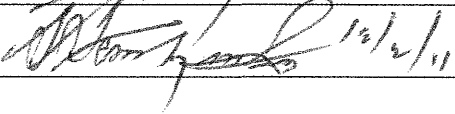


**CITY OF WASILLA
LEGISLATION STAFF REPORT**

ORDINANCE SERIAL No. 12-01: AMENDING WMC 1.20.030.C, WITHIN DISPOSITION OF SCHEDULED OFFENCES – FINES SCHEDULE, TO SET THE FINE AMOUNT FOR A PUBLIC NUISANCE AT \$300; AND AMENDING WMC 8.12.050.B, WITHIN PUBLIC NUISANCE ABATEMENT, BY ADDING FURTHER CITATION.

Agenda of: December 12, 2011 introduction
Originator: Police Chief and Public Works Director

Date: December 1, 2011

Route to:	Department	Signature/Date
X	Police Chief	
X	Public Works Director	 12/1/11
X	Deputy Administrator	 12-2-11
X	Finance Director	 12/2/11
X	City Clerk	

REVIEWED BY MAYOR VERNE E. RUPRIGHT: 

FISCAL IMPACT: No

Account name/number: none

Attachments: none

SUMMARY STATEMENT: The Police Department recently found flaw with existing Wasilla Municipal Code in the court system when making a “nuisance” citation. The City does not have the authority to have a range of fines for a particular citation. Apparently, only the court system has this authority. The amendment to WMC 1.20.030.C changes the “nuisance” fine from “\$50 - \$500” to “\$300”. Secondly, WMC 8.12.050.B will be amended as part of this ordinance to expand the enforcement references to include the penalty provisions of WMC 8.12.060 that will give more weight to Code Enforcement when “nuisance” citations reach the court system.

STAFF RECOMMENDATION: Approve the adoption of Ordinance Serial No. 12-01 amending WMC 1.20.030.C, within Disposition of Scheduled Offences – Fine Schedule, to set the fine amount to \$300; and amending WMC 8.12.050.B, within Public Nuisance Abatement by adding further citation.